IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.46573 of 2008
PRAKASH RAJAK
Versus
STATE OF BIHAR
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2. **2.12.2008** Heard Sri Tej Narayan Singh, Advocate for the petitioner and the learned A.P.P. for the State.

The case is under Sections 395 and 412 of the IPC and the petitioner is named in the FIR, not because he was identified by any one or he was known to any of the occupants of the bus, the passengers of which were looted but because he was allegedly caught and chased by the police. It is not that the petitioner was a solitary accused who was chased and caught while some arms and ammunitions were recovered from the possession of the petitioner. Looted properties from the passengers were recovered from other accused persons caught on chase.

The contention is that for the recovery of the arms a separate case has been registered under the appropriate law. The further contention is that the petitioner was not found in possession of any of the looted properties.

Regard being had to the fact that the police chased and caught the petitioner along with three others, I am not inclined to release the above named petitioner on bail.

Petition is dismissed.

(Dharnidhar Jha, J.)

B.Kr.

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